



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/764,543

01/27/2004

Masafuku Akatsu

Q79605

9600

23373 7590 03/28/2008
SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON, DC 20037

EXAMINER

DABNEY, PHYLESHA LARVINIA

ART UNIT

PAPER NUMBER

2614

MAIL DATE

DELIVERY MODE

03/28/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/764,543	Applicant(s) AKATSU, MASAFUKU	
	Examiner PHYLESHA L. DABNEY	Art Unit 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 February 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 11, 12 and 14-18 is/are rejected.
- 7) ☒ Claim(s) 9, 10, 13 and 19 is/are objected to.
- 8) ☒ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This action is in response to the Amendment received on 22 February 2008 in which claims 1-19 are pending.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims **1-2, 6, 8, 11, and 14-17** are rejected under 35 U.S.C. 102(e) as being anticipated by Wall et al (U.S. Patent No. 6,970,556).

Regarding claims 1, 11, 14-17, Wall teaches a key telephone set comprising: a telephone main body (24, 52) comprising a handset placing unit (fig. 1, depressions shown relative to 109); an interchangeable dial button unit (60a, 60b; col. 4 lines 30-32), interchangeable line button unit (55a, 55b, 56), and an interchangeable display unit (90) structured so that said interchangeable dial button unit, said interchangeable line button unit and said interchangeable display unit are detachable from said telephone body from a top surface side of said telephone main body without disassembly of said telephone main body (figs. 1-2).

Regarding claim 2, Wall teaches a key telephone set as claimed in claim 1, wherein said interchangeable display unit comprises a liquid crystal display panel (90; col. 5 lines 8-10).

Regarding claim 6, Wall teaches a key telephone set as claimed in claim 1, wherein said interchangeable line button unit comprises a plurality of line selection buttons (55a, 55b, 56) and a liquid crystal display panel (col. 3, lines 17-38 and col. 4 lines 43-46).

Regarding claim 8, Wall teaches a key telephone set as claimed in claim 1, wherein said telephone main body is capable of being attached with another interchangeable dial unit (60a, 60b) different in specification from said interchangeable dial unit (figs. 1-2).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims **3 and 4** are rejected under 35 U.S.C. 103(a) as being unpatentable over Wall et al.

Regarding claim 3, Wall fails to teach a key telephone set as claimed in claim 1, wherein said interchangeable display unit comprises a dummy.

However the Examiner takes official notice that it is known to apply a removable cover (dummy unit) to unused portion of an electrical device, such as telephone main body, to prevent interfacing circuitry from getting dusty or damaged.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a dummy interchangeable display unit in the invention of Wall in the event that a portion of the telephone main body was not in use by an interchangeable unit for the reason stated.

Regarding claim 4, Wall teaches a key telephone set as claimed in claim 1, wherein said interchangeable line button unit comprises a plurality of line selection buttons and a plurality of lit display elements (col. 4 lines 44-46) corresponding to said line selection buttons (col. 8 lines 54-60).

Wall does not specifically teach or restrict the lit display elements to any particular lighting means, including LCDs or LEDs. However, one of ordinary skill in the art at the time the invention was made that the mere application of an LED lighting means in the invention of Wall could have been made resulting in a predictable outcome.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use LEDs in the invention of Wall to display a graphic associated with the selected line button.

3. Claims **5 and 7** are rejected under 35 U.S.C. 103(a) as being unpatentable over Wall '556 et al in view of Nebiker et al (U.S. Patent No. 7,054,423).

Regarding claims 5 and 7, Wall teaches incorporating a plurality of buttons (in slot 74a) on the interchangeable line button unit (55a, 55b, 56) without restricting the module to a specific number of buttons (col. 4 lines 43-50).

In a similar field of endeavor, Nebiker '423 teaches a key telephone set as claimed in claim 4, wherein said telephone main body is capable of being attached with another interchangeable line button unit (54) different in number of said line selection buttons (in slot 74a).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the interchangeable line button unit (54) in the invention of Wall as taught by Neibiker to beneficially use a predictable function specific module. The substitution of the line button module/unit of Neibiker is no more than a simple substitution of one known element for another to achieve a predictable result.

4. Claims **12 and 18** are rejected under 35 U.S.C. 103(a) as being unpatentable over Wall et al in view of Altschul et al (U.S. Patent No. 6,405,056)

Regarding claims 12 and 18, Wall fails to teach the key telephone system as set forth in claim 11, wherein said interchangeable line button unit (55a, 55b, 56) is attached to said telephone main body (24, 52) by any particular means, including a first sliding attachment mechanism.

In a similar field of endeavor, Altschul teaches using a sliding attachment mechanism (fig. 1; 32, 54) for attaching a module, i.e. a line button unit (14) to the telephone main body (30); thereby, providing a means for interfacing the line button unit with the main body.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a sliding attachment means for attaching the line button unit to the telephone main body of Wall, as taught by Altschul, thus providing a secure interface.

Allowable Subject Matter

5. Claims **9-10, 13, and 19** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

6. Applicant's arguments, with respect to the rejection(s) of claim(s) **1-8, 11, and 14-15** under 35 USC 103(b) utilizing Muzumdar et al, have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection utilizing Wall in view of Nebiker, or Altschul.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHYLESHA L. DABNEY whose telephone number is (571)272-7494. The examiner can normally be reached on Mondays, Wednesdays, Fridays 8:30-4 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on 571-272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any response to this action should be mailed to:
Commissioner of Patents and Trademarks
P O Box 1450
Alexandria, VA 22313-1450

Or faxed to:
(703) 273-8300, for formal communications intended for entry and for informal or draft communications, please label "Proposed" or "Draft" when submitting an informal amendment.

Hand-delivered responses should be brought to:
Customer Service Window

Art Unit: 2614

Randolph Building
401 Dulany Street
Alexandria, VA 22314

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

March 18, 2008

PLD

//Curtis Kuntz//
Supervisory Patent Examiner, Art Unit